

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IRVIN MARSH, JR.

Petitioner,

v.

COMMONWEALTH OF PENNSYLVANIA,
et al.,

Respondents.

CIVIL ACTION

NO. 10-6893

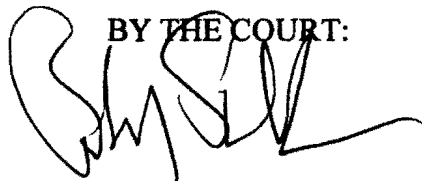
ORDER

AND NOW, this 28 day of Feb, 2011, upon independent

consideration of the Petition for Writ of Habeas Corpus, the Response thereto, and after review of the Report and Recommendation ("R&R") of United States Magistrate Judge Henry S. Perkin dated February 11, 2011, *and objections made* IT IS HEREBY ORDERED that:

1. the R&R is APPROVED and ADOPTED;
2. the Petition for Writ of Habeas Corpus is DENIED with prejudice and DISMISSED without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:



BERLE M. SCHILLER, J.